

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
November 17, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:01 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia Shananaquet, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Michael Naganashe, Councilor Aaron Otto

Absent: Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Fred Kiogima. Vice-Chair Deb DeLeon

Public: Emily Harrington, Andrew Stich, Lucy Keshick

Invited Guests: Odawa Casino Resort Finance Director Roger Borton, Tribal Citizen Sarah Schilling

Attended by Teleconference: General Counsel James Bransky, Treasury Director Michael Garrow, Sovereign Finance: Jeffery Lamb, Matt Eden, Odawa Casino Resort: General Manager David Wolf, Human Resource Director Melissa Richards

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Motion made by Councilor Otto and supported by Councilor Naganashe to adopt the agenda for November 17, 2013 with additions.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3- Absent (Treasurer Reyes, Councilor. Denemy, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Legislative Leader Gasco Bentley to approve the minutes of November 3, 2013 as corrected.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3- Absent (Treasurer Reyes, Councilor. Denemy, Councilor Wemigwase)

1 Motion carried.

2  
3 9:22 a.m. Elder Comments: No comments at this time.

4  
5 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
6 to accept Legislative Leader Gasco Bentley's verbal report for November 17,  
7 2013.

8 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3- Absent (Treasurer Reyes, Councilor.  
9 Denemy, Councilor Wemigwase)

10 Motion carried.

11  
12 Secretary Shananaquet read into the record:

- 13  
14 • The following document is outstanding and requires the Purchaser,  
15 State of Michigan, County of Emmet Notary Public, BIA's signatures  
16 and legislative Branch receipt of a copy from Executive Branch once  
17 signed by Purchase, State of Michigan, County of Emmet Notary  
18 Public and BIA  
19  
20 • Dillard Home Purchase Contract and Residential Lease of Tribal  
21 owned land  
22  
23 • Certified Motions approved by Tribal Council delivered to Executive:  
24  
25 1. 110313-01 Request for funding from the U.S. Department of Health  
26 and Human Services, administration on Aging (AoA), Title VI of the  
27 Older Americans Act, Part A – Grants for Native Americans Little  
28 Traverse Bay Bands of Odawa Indians Elders' Program.  
29  
30 2. 110313-02 Funding from the Michigan Department of  
31 Environmental Quality Stormwater, Asset Management Plan and  
32 Wastewater Program Little Traverse Bay Bands Environmental  
33 Services Non-Point Source Management Plan.  
34  
35 • The following (2) Resolutions were delivered to Tribal Chairman's  
36 office and have been signed and returned:  
37  
38 1. Tribal Resolution #110313-01 Approval of the Gaming Authority  
39 Committee FY 2014 Budget.  
40  
41 2. Tribal Resolution #110313-02 Supplemental Funding in the Amount  
42 of \$5,029.00 for Rehmann Services.  
43  
44 • Waganakising Odawak Statute Repeal of Waganakising Odawak  
45 Statute 2013-012 Amendment to Land and Reservation 2008-002 was  
46 signed and returned by the Tribal Chairman.

1  
2 • Executive Vetoed Documents:

3  
4 1. Resolution #101513-01 Appropriation of Funds for the 2015  
5 Operating Budgets and Funding Allocation for the 2015 Fiscal Year.

- 6  
7 - Secretary Shananaquet is requesting that the vetoed Resolution  
8 101513-01 be referred to the Appropriations and Finance  
9 Committee for review.

10  
11 • The following Phone Poll was conducted:

12  
13 1. November 05, 2013 to recommend to Tribal Council to approve  
14 Certified Motion - Approval of Tribal Transportation Improvement  
15 Program FY 2013 – FY 2016. The phone poll passed: 8-Yes, 0-No,  
16 0-Abstain, 1-Absent.

17  
18  
19 Motion made by Councilor Keshick and supported by Councilor Law to accept  
20 Secretary Shananaquet's verbal report for November 17, 2013.

21 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
22 Denemy, Councilor Wemigwase)  
23 Motion carried.

24  
25 Motion made by Councilor Keshick and supported by Councilor Naganashe to  
26 accept the Tribal Treasurer's Appropriations and Finance Committee report as  
27 provided by Committee member Secretary Shananaquet for November 17, 2013.

28 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
29 Denemy, Councilor Wemigwase)  
30 Motion carried.

31  
32 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
33 to accept the Agricultural Assessment Work Group report as presented by  
34 Councilor Keshick for November 17, 2013.

35 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
36 Denemy, Councilor Wemigwase)  
37 Motion carried.

38  
39 10:11 a.m. Recess called.

40 10:24 a.m. Meeting Reconvened.

41  
42 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
43 to accept the Legal and Legislative Committee report as presented by Legislative  
44 Leader Gasco Bentley for November 17, 2013.

45 Vote: 5 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 3– Absent (Treasurer  
46 Reyes, Councilor. Denemy, Councilor Wemigwase)

1 Motion carried.

2  
3 Motion made by Secretary Shananaquet and supported by Councilor Keshick to  
4 post the Amendment to the Medical Marijuana Patient Protection Statute to the  
5 Legislative Calendar as sponsored by the Legal and Legislative Committee.

6 Vote: 4 - Yes, 2- No (Councilor Otto, Councilor Naganashe), 0- Abstained, 3–  
7 Absent (Treasurer Reyes, Councilor. Denemy, Councilor Wemigwase)

8 Motion carried.

9  
10 10:38 a.m. – 11:23 a.m.: Executive Updates.

11  
12 Motion made by Councilor Law and supported by Secretary Shananaquet to  
13 acknowledge receipt of the verbal and written Executive Oversight Report for  
14 October 2013 as presented by the Tribal Chairman for November 17, 2013.

15 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
16 Denemy, Councilor Wemigwase)

17 Motion carried.

18  
19 Verbal update from Councilor Otto Ethics Committee Chairperson regarding  
20 Tribal Council meeting closed session material access in general.

21  
22 Motion made by Councilor Keshick and supported by Councilor Naganashe to  
23 accept the Gaming Authority Committee verbal report as presented by  
24 Committee Chairperson Councilor Otto for November 17, 2013.

25 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
26 Denemy, Councilor Wemigwase)

27 Motion carried.

28  
29 Motion made by Councilor Keshick and supported by Councilor Otto to approve  
30 the issuance of a liquor license for sale of alcoholic beverages solely for  
31 consumption on the premises at the Odawa Hotel, which is located on land held  
32 in trust for the Tribe by the United States at 1444 US 131 S. Petoskey, MI 49770,  
33 until the date of approval of Waganakising Odawak Statute 2009-019 Liquor and  
34 Tobacco Licensing Board Statute by the Bureau of Indian Affairs and authorizes  
35 the Tribal Chairman to sign the license.

36 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
37 Denemy, Councilor Wemigwase)

38 Motion carried.

39  
40 Motion made by Councilor Otto and supported by Secretary Shananaquet to  
41 approve the issuance of a liquor license for sale of alcoholic beverages for  
42 consumption on the premises at Odawa Casino Resort, which is located on land  
43 held in trust for the Tribe by the United States at 1760 Lears Road, Petoskey, MI  
44 49770, and an “off-premises” license for wine sales at the “Up North” and the  
45 Sage Restaurant at the same address, until the date of approval of  
46 Waganakising Odawak Statute 2009-019 Liquor and Tobacco Licensing Board

1 Statute by the Bureau of Indian Affairs and authorizes the Tribal Chairman to  
2 sign the license.

3 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
4 Denemy, Councilor Wemigwase)

5 Motion carried.

6  
7 11:45 a.m. Public Comment opened:

- 8  
9 • Andrew Stich spoke regarding Tribal Council participation at the  
10 November 16, 2013 Work Session; using our own existing land for the  
11 Farm Plan; and requested informational update regarding the  
12 Mackinaw Property.  
13

14 11: 50 a.m. Public Comment closed.

15  
16 Motion made by Councilor Otto and supported by Councilor Law to accept  
17 Legislative Services Attorney Budnick v report for November 17, 2013.

18 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
19 Denemy, Councilor Wemigwase)

20 Motion carried.

21  
22 Motion made by Councilor Law and supported by Councilor Naganashe to  
23 authorize and approve the action item within Confidential Memo 111713-01.

24 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
25 Denemy, Councilor Wemigwase)

26 Motion carried.

27  
28 12:00 p.m. Lunch Recess.

29 1:37 p.m. Meeting reconvened.

30  
31 1:37 p.m. – 1:52 p.m. Sarah Schilling Tribal Citizen presentation regarding Native  
32 American youth and Champion for Change travel to Washington D.C. and  
33 meeting President Obama; her travel to Philadelphia Pennsylvania regarding the  
34 Moyer Foundation for bereavement and grief; attendance at the Tribal Nations  
35 Conference; the National Congress of American Indians Conference; and spoke  
36 to what the future of Tribal Youth is and what is the Tribe willing to invest in it.  
37

38 Motion made by Councilor Law and supported by Councilor Naganashe to accept  
39 the Legislative Office Manager verbal report for November 17, 2013.

40 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
41 Denemy, Councilor Wemigwase)

42 Motion carried.

43  
44 Motion made by Councilor Naganashe and supported by Councilor Law to  
45 approve Certified Motion #111703-01 Request for Funds as a sub-grantee from  
46 the Inter-Tribal Council of Michigan, U.S. Bureau of Indian Affairs Office of Trust

1 2013 Tribal Climate Adaptation Grant Program Climate Change Adaptation Plan  
2 for Michigan Tribes.

3 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
4 Denemy, Councilor Wemigwase)

5 Motion carried.

6  
7 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
8 to rescind Certified Motion #100613-05 Request for Funding from the U.S.  
9 Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY  
10 2014 Region 5 Tribal Air Grants, Little Traverse Bay Bands of Odawa Indians  
11 Clean Air Program.

12 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
13 Denemy, Councilor Wemigwase)

14 Motion carried.

15  
16 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
17 to approve Certified Motion #111713-02 Request for Funding from the U.S.  
18 Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY  
19 2014 Region 5 Tribal Air Grants, Little Traverse Bay Bands of Odawa Indians,  
20 Clean Air Program.

21 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
22 Denemy, Councilor Wemigwase)

23 Motion carried.

24  
25 Motion made by Secretary Shananaquet and supported by Councilor Naganashe  
26 to post Waganakising Odawak Statute Odawa Organic Farming Incorporated to  
27 the Legislative Calendar as sponsored by Councilor Keshick.

28 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
29 Denemy, Councilor Wemigwase)

30 Motion carried.

31  
32 2:36 p.m. Recess called.

33 2:46 p.m. Meeting reconvened.

34  
35 Motion made by Councilor Naganashe and supported by Councilor Keshick to  
36 adopt Tribal Resolution: Establish an Ad-hoc Agricultural Work-group.

37 Motion withdrawn.

38  
39 Motion made by Councilor Keshick and supported by Councilor Naganashe to  
40 approve Certified Motion: Establish an Ad-hoc Agricultural Work-group.

41 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
42 Denemy, Councilor Wemigwase)

43 Motion carried.

44  
45 Motion made by Councilor Naganashe and supported by to Councilor Law to  
46 approve a liquor license for Biindigen for “off-premises” license to sell alcohol at



1 2169 U.S. 31 North, Petoskey, MI 49770 until the date of approval of  
2 Waganakising Odawak Statute 2009-019 Liquor and Tobacco Licensing Board  
3 Statute by the Bureau of Indian Affairs and authorizes the Tribal Chairman to  
4 sign the license.

5 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
6 Denemy, Councilor Wemigwase)

7 Motion carried.

8  
9 Motion made by Councilor Naganashe and supported by Councilor Law to post  
10 the Environmental Protection Statute to the Legislative Calendar as sponsored  
11 by Legislative Leader Gasco Bentley.

12 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
13 Denemy, Councilor Wemigwase)

14 Motion carried.

15  
16 2:53 p.m. Public Comment Opened:

- 17  
18 • Andrew Stich asked if Appleyard was going to be a Charter  
19 Corporation or torn down; the destruction of the King's Inn, Wilderness  
20 and Victories properties as may have been used for other things such  
21 as housing; Bell's Fishery and hiring someone who knows distribution.  
22

23 2:58 p.m. Public Comment closed.

24  
25 3:48 p.m. Recess called.

26 4:07 p.m. Meeting reconvened.

27  
28 4:09 p.m. Motion made by Councilor Law and supported by Councilor  
29 Naganashe to go into closed session for confidential business matters.

30 Vote: 6- Yes, 0 - No, 0 - Abstained, 3 – Absent (Treasurer Reyes, Councilor  
31 Denemy, Councilor Wemigwase)

32 Motion carried.

33  
34 4:48 p.m. Motion made by Councilor Keshick and supported by Councilor Law to  
35 return to open session.

36 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
37 Denemy, Councilor Wemigwase)

38 Motion carried.

39  
40 Motion made by Councilor Law and supported by Councilor Naganashe to have  
41 Tim Kincaid of Fredericks and Peebles negotiate a depository agreement in  
42 conjunction with the loan documents with Wells Fargo for Tribal Councils'  
43 approval.

44 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
45 Denemy, Councilor Wemigwase)

46 Motion carried.

1  
2 Motion made by Secretary Shananaquet and supported by Legislative Leader  
3 Gasco Bentley to appoint Councilor Keshick and Councilor Naganashe to the  
4 Agricultural Assessment Ad-Hoc Work Group.

5 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
6 Denemy, Councilor Wemigwase)

7 Motion carried.

8  
9 Motion made by Secretary Shananaquet and supported by Councilor Law to  
10 appoint Legislative Leader Gasco Bentley, Councilor Keshick and Councilor  
11 Naganashe to the Land and Reservation Committee.

12 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
13 Denemy, Councilor Wemigwase)

14 Motion carried.

15  
16 4:57 p.m. Motion made by Councilor Naganashe and supported by Councilor  
17 Otto to adjourn.

18 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Reyes, Councilor.  
19 Denemy, Councilor Wemigwase)

20 Motion carried.

21  
22 Next Scheduled Meeting: December 08, 2013

23  
24  
25 Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-  
26 1406 for additional updates and clarifications of these minutes as presented.

27  
28 These Minutes have been read and approved as written (or) corrected: (delete  
29 either the word "written" or "corrected" as pertains to how the minutes were  
30 approved.)

31  
32  
33  
34 Tribal Secretary Shananaquet

\_\_\_\_\_  
Date